

REMARKS

Claims 1-26, 52-69 and 71-73, as amended, and new claim 74 appear in this application for the Examiner's review and consideration.

Claim 1 has been amended to incorporate the features of claim 70 and to delete the recitation to the preferred size of the pits and grooves. The latter feature now appears in claim 74, while claim 70 has been cancelled. As no new matter has been entered, the entry of this amendment is warranted to reduce the issues for appeal by placing the entire application in condition for allowance.

Applicants appreciate the Examiner's allowance of claims 20, 21, 23-25 and 52-63, and the finding that claims 11, 13, 64-67, 70 and 71 would be allowable if rewritten in independent form.

While the Applicants respectfully traverse the Examiner's present rejections, claim 1 has been amended to incorporate the features of allowable claim 70 to expedite allowance. As claims 2-9, 22 and 71-74 depend directly or indirectly from claim 1, these claims are also in condition for allowance. Of these, claims 4-9 were previously withdrawn from consideration as non-elected species. As claims 4-9 depend from allowable claim 1, rejoinder of claims 4-9 is respectfully requested.

Claims 1-3, 10, 12, 14, 15, 22, 68, 69, 72 and 73 stand rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,009,065 to Glushko et al. ("Glushko").

As noted, claim 1 has been amended to incorporate the features of allowable claim 70 to overcome this rejection as to claims 1-3, 22 and 72-73.

Independent claim 10 recites a light-controlling element for reflecting towards a detecting means at least part of information-carrying radiation that is moving away from the detecting means. This enables an increased amount of the information-carrying radiation to reach the detecting means. This structure can provide an increase of as much as twice as much radiation to the detection means, with improved signal reading and information processing obtained as a result.

In contrast, Glushko describes optical means for focusing and tracking error correction (FEC/TEC) that is adapted to position a laser spot by right/left shifting the laser spot towards a track center (see col. 11:14-19). The FEC/TEC uses a signal that is represented by the reading laser induced fluorescence from the recorded cells (see col. 10:42-43). The FEC/TEC means of Glushko better illuminates a portion of a laser disk with a laser spot and may increase an amount of the information-carrying radiation which reaches section

1 and 2 of the detecting as alleged by the Examiner (see Office Action, page 3, 1st para.). But as envisioned by Glushko, the better targeting allows only a signal already targeted to the detecting means to reach the detecting means (see col. 10:42-43). The better targeting does not increase the amount of information-carrying radiation that was moving away, i.e., not targeted, from reaching the detection means. In other words, the FEC/TEC means of Glushko may better illuminate a detecting means and a portion of a laser disk with a signal, but increased illumination with the signal is not reflecting information-carrying radiation that is moving away from the detecting means towards the detecting means, as presently claimed. Glushko describes FEC/TEC means that position a laser spot (i.e., reading radiation of present claim 10). However, Glushko fails to describe a light-controlling element for reflecting towards the detecting means at least part of the information-carrying radiation that is moving away from the detecting mean.

As described above, Glushko fails to describe the features of independent claim 10, and claims 12, 14, 15, 68, and 69 dependent therefrom. Accordingly reconsideration and withdrawal of this rejection is appropriate.

In view of the above, the entire application is believed to be in condition for allowance, early notice of which would be appreciated. Should any issues remain, a personal or telephonic interview is respectfully requested to discuss the same in order to expedite the allowance of all the claims in this application.

Respectfully submitted,

Date: 3-2-06



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